



**The Comptroller General  
of the United States**

Washington, D.C. 20548

## **Decision**

**Matter of:** Columbia Research Corporation

**File:** B-227802

**Date:** September 24, 1987

---

### **DIGEST**

1. Protest that agency improperly relaxed solicitation requirement for 13 systems engineers by accepting proposal offering to perform with 11 systems engineers, is denied where solicitation casts work requirements in terms of total systems engineers hours rather than in terms of specific number of individuals and there is no solicitation prohibition against satisfying required hours with overtime.
2. Allegation that agency improperly relaxed specifications for awardee without advising protester of change is denied where, due to substantial difference in costs, award decision would remain the same even if protester had adjusted costs to reflect relaxation.

---

### **DECISION**

Columbia Research Corporation protests the award of an indefinite quantity, time and materials contract to Aquidneck Management Associates, Ltd. to provide technical services, over a 3-year period, for product systems assurance support for various weapons and combat control systems. This contract was awarded under request for proposals (RFP) No. N666604-86-R-5205, issued by the Naval Underwater Systems Center. Columbia contends that the Navy incorrectly evaluated the proposals. We deny the protest.

The RFP set forth the following evaluation criteria listed in descending order of importance: Personnel, Corporate Experience, Technical Approach, Management Approach, Facilities, and Cost. Both Aquidneck and Columbia received overall technical ratings of good, although Aquidneck was rated excellent for facilities, and Columbia received excellent ratings for corporate experience and facilities. Aquidneck offered a price of \$6,127,269, while Columbia offered a price of \$8,786,660, a difference of approximately \$2.65 million. The contracting officer determined that Aquidneck's considerably lower cost more than offset the

04 0086

slightly higher technical rating of Columbia's proposal, and thus selected Aquidneck for award.

Columbia raises two principal concerns, both regarding the individuals Aquidneck proposed to staff one of the seven designated key personnel positions, systems engineer. The RFP provided that these positions were to be staffed with personnel having certain minimum levels of education and experience, and required offerors to identify a minimum number of individuals for each position and furnish the personnel resumes of these individuals with their proposals. Columbia contends that Aquidneck did not propose the requisite number of individuals for assignment to the position of systems engineer, and generally questions whether the personnel proposed by Aquidneck met the minimum education and experience requirements set forth in the RFP's statement of work.

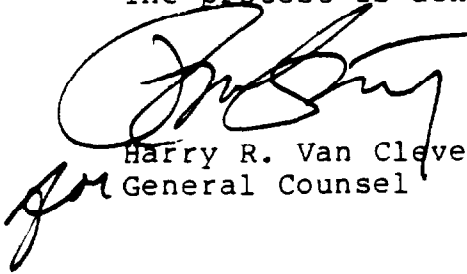
Although the Navy has not disclosed Aquidneck's proposal to Columbia, we have examined the proposal in camera, including the individual key personnel resumes furnished by Aquidneck. We find that Aquidneck's proposal and proposed personnel complied with all material requirements of the RFP.

The solicitation did request 13 resumes for the position of systems engineer, and Aquidneck proposed only 11 individuals for the position (the firm still submitted the required 42 total number of resumes for the key personnel), but, contrary to Columbia's view, it is not clear to us that Aquidneck's approach was inconsistent with the RFP. In this regard, it appears to us that, although the RFP requested 13 systems engineer resumes, the number of individuals actually required to perform was not fixed: the RFP expressed the work solely in terms of estimated hours of work by position (25,000 hours for systems engineer), not in terms of the minimum number of employees; and the RFP did not prohibit satisfying the specified work hours with overtime (and, as initially issued, included a clause allowing overtime). In any case, even were this viewed as a relaxation of an RFP requirement, its cost impact clearly would be minimal; eliminating the costs of two systems engineers from Columbia's proposal would not have significantly diminished Aquidneck's \$2.65 million cost advantage. See Ship Analytics, Inc., B-225798, June 23, 1987, 87-1 CPD ¶ 621; DataVault Corp., B-223937, et al., Nov. 20, 1986, 86-2 CPD ¶ 594.

Aquidneck also proposed two systems engineers with bachelor of science degrees in mathematics rather than in science or engineering, as the RFP specified. This does appear to be a deviation from the strict RFP terms. However, we find this

slight relaxation of the RFP's stated minimum requirements--without informing Columbia of the change--to be unobjectionable. Again, because of Columbia's substantially greater evaluated cost, it is clear that any change in Columbia's proposal in response to this minor relaxation would not have had any effect on the award decision.

The protest is denied.



Harry R. Van Cleve  
General Counsel